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Dated: 10/29/02

Signature: Joanne Ryan
(Joanne Ryan)

9P1631

Docket No.: BURF-P01-010
(PATENT)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Utility Application of:
Preparata et al.

Application No.: 09/416,779

Group Art Unit: 1631

Filed: October 13, 1999

Examiner: Lori Clow

For: SYSTEMS AND METHODS FOR
SEQUENCING BY HYBRIDIZATION

Commissioner for Patents
Washington, DC 20231

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RESPONSE UNDER 37 C.F.R. §1.111

Dear Sir:

In response to the Office Action dated July 29, 2002, Applicants submit the following remarks.

REMARKS:

Applicants note with appreciation that the Examiner has indicated that claims 1-3, 12, and 20-29 are in condition for allowance.

Responses to the outstanding rejections of claims 4, 6-8, 10 and 11 are presented below.

CLAIMS 4, 6-8, 10 and 11 REJECTED UNDER 35 U.S.C. 103(a)

The Examiner alleges that the rejected claims are obvious under Loakes et al. in view of Chetverin et al. With respect to Loakes et al., the Examiner argues:

Loakes et al. disclose oligonucleotides and sets of oligonucleotides that comprise universal and designate nucleotides in various iterative patterns (Table 1). The universal nucleotides within the oligonucleotide were able to stack with the target sequence to correctly permit hybridization of the oligonucleotide to the target. This supports the use of these universal nucleotides in hybridization reactions and clearly Loakes et al. intended for the universal bases to have use in